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1 evidence. The Board affirms and adopts the Findings of Fact of the Hearings Examiner as set forth
2 in the attached copy.

3 **III. MOTION**

4 3.1 Having reviewed the record of proceedings before the Hearings Examiner, the Board finds
5 that the Hearings Examiner's ruling on Appellant's motion to set aside the disciplinary action is
6 supported by a preponderance of the evidence. The Board affirms and adopts the Hearings
7 Examiner's ruling as set forth in the attached copy.
8

9 **IV. CONCLUSIONS OF LAW**

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11 4.1 The Personnel Appeals Board has jurisdiction over the parties hereto and the subject matter
12 herein.

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14 4.2 The Board concludes that the Conclusions of Law of the Hearings Examiner are supported
15 by the Findings of Fact. The Board affirms and adopts the Conclusions of Law of the Hearings
16 Examiner as set forth in the attached copy.
17

18 4.3 The recommended decision of the Hearings Examiner should be affirmed.
19

20 **V. ORDER**

21 NOW, THEREFORE, IT IS HEREBY ORDERED that the recommended decision of Hearings
22 Examiner Jennifer Woods entitled Amended Order Granting Appellant's Motion to Set Aside
23 Discipline and dated December 29, 2000, is affirmed as follows:
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25 IT IS ORDERED that Appellant's motion to set aside the disciplinary action is granted.
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IT IS FURTHER ORDERED that the appeal of Emily Robinson is granted and she is reinstated with damages, except for the period of May 25, 2000 through July 28, 2000.

DATED this _____ day of _____, 2001.

WASHINGTON STATE PERSONNEL APPEALS BOARD

Walter T. Hubbard, Chair

Gerald L. Morgen, Vice Chair